

Department of Environmental Protection and Resource Management  
105 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No.71280

George Sevdalis  
1222 S. 48<sup>th</sup> Street  
Baltimore MD 21222

404 Scasdale Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on January 27, 2010, for a Hearing on a citation for violations of the Baltimore County Zoning Regulations (BCZR) section 1B01.1, 270, 421.1, failure to comply with the correction notice to eliminate the illegal kennel on residential property known as 404 Scarsdale Road, 21224.

On December 22, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ray Harmon issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,000.00 (three thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on November 18, 2009 for illegal kennel, over limit of 3 dogs. This Citation was issued on December 22, 2009.

B. Notes in the file by Inspector Ray Harmon state that inspection found four dogs being kept at this residence. Under the Baltimore County Code, keeping more than three dogs for noncommercial purposes requires a license for a holding facility. Operation of a holding facility without a license is prohibited. BCC Section 12-1-101; Section 12-2-104. In the terminology of the County Zoning Regulations, this constitutes a private dog kennel. BCZR Section 101.1 (Private Kennel – housing more than three dogs). Operation of a kennel in this residential property violates zoning regulations. The number of dogs kept at this property must be reduced to no more than three dogs.

C. Notes in the file by Inspector Harmon state that re-inspection prior to this Hearing found the violation corrected, with the number of dogs reduced to three. Because compliance is the goal of code enforcement, the civil penalty will be rescinded. However, Respondent is advised that pursuant to departmental policy, a repeated violation of this zoning regulation may result in immediate Citation with civil penalty, without prior Correction Notice being issued.

IT IS ORDERED by the Code Enforcement Hearing Officer that the proposed civil penalty is RESCINDED and reduced to zero dollars.

ORDERED this 9<sup>th</sup> day of February 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer